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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,954	11/25/2003	Gary H. Knauf	56118.P1/ C-3525.0	5893
26710	7590	12/27/2005	EXAMINER	
QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			MICHENER, JENNIFER KOLB	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,954

Applicant(s)

KNAUF, GARY H.

Examiner

Jennifer K. Michener

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-46 is/are pending in the application.
- 4a) Of the above claim(s) 39, 42 and 44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-38, 40, 41, 43, 45 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/28/05; 3/17/04</u> | 6) <input checked="" type="checkbox"/> Other: <u>Add'l IDS: 11/25/03</u> |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 3/17/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. Examiner is unable to find the Larson reference in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 33, 35, and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 32 discusses extrusion coating, however claim 33 allows for other types of coating. This is unclear.

Claims 35 and 37 do not make clear to what the first and second "web travel paths" are referring. Is the "first web travel path" the travel path of the first web whereas the "second web travel path" is the travel path of the second web? Or are the first and second travel paths descriptive of two different paths taken by the same web?

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 32-38, 40-41, 43, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Packaging Digest article (supplied by Applicant) in view of Leonard (2002/0132049).

The Packaging Digest article by Jack Mans teaches the purchase and start-up of two individual web coating lines, run in series, offering the flexibility to run as two independent extrusion coating lines (page 3 of 6).

Mans fails to specifically teach that this system has unwind and wind-up stations for the webs.

Examiner takes Official Notice that it is well-known in the paper-coating art to provide wound paper rolls for coating and to re-wind the webs when coating is complete.

Additionally, Leonard is cited to teach unwinding a web roll, running it through the

coating operation, and then winding up the web rolls when the coating is complete (P125).

Since Mans teaches coating webs and Leonard teaches unwinding paper rolls for coating prior to coating and then re-winding them after coating, Leonard would have reasonably suggested to one of ordinary skill in the art to provide the webs of Mans on unwind stands and to collect the webs of Mans on windup stands. It would have been obvious to one of ordinary skill in the art to use the teachings of Leonard in the method of Mans to provide a means to compactly transport paper webs (i.e., in a roll) before and after coating.

Mans teaches extrusion coating.

In the art of paper coating, it is required to redirect the webs to various stations. It is well-known to direct the webs with "web turning stations". It would have been obvious to an ordinary artisan to use a web turning station to direct the independent paper webs to a common location for coating or wind-up in proximity to one another to save space.

Each independent extrusion coater discussed by Mans can have the widths (or other parameters) changed in a matter of seconds (p. 4). Since the coaters are said to be independent, they can be used for different products at the same time. Due to the many medical, pharmaceutical, and personal care product packagings (p. 1) manufactured by

the company discussed by Mans, it is Examiner's position that the two independent webs may be coating webs of varying widths or construction with varying coatings.

The webs taught in the Mans article may be made of paper, foil, or polymer (p. 2, line 1).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Capizzi is cited for teaching coating paper by extrusion coating and then winding up the coated paper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer K. Michener whose telephone number is (571) 272-1424. The examiner can normally be reached on Mondays & on Tuesday and Wednesday afternoons.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Michener
Primary Examiner
Art Unit 1762
December 21, 2005